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9 DAVID MERLIN dba BENJARONG THAI  
10 CUISINE and RAYMOND F. STIAVETTI  
11 (erroneously sued as "RAYMOND F. STIAVETTI  
12 TRUSTEE OF THE RAYMOND STIAVETTI  
13 TRUST")

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12 CRAIG YATES, an individual; and  
13 DISABILITY RIGHTS ENFORCEMENT,  
14 EDUCATION, SERVICES: HELPING  
15 YOU HELP OTHERS, a California public  
benefit corporation,

Plaintiffs,

v.

17 BENJARONG THAI CUISINE;  
18 RAYMOND F. STIAVETTI TRUSTEE  
19 OF THE RAYMOND STIAVETTI  
20 TRUST; DAVID MERLIN, an individual  
dba BENJARONG THAI CUISINE; and  
DOES 1-20, inclusive,

Defendants.

**CASE NO. CV 08 2932 JL**

**PROOF OF SERVICE**

**PROOF OF SERVICE BY OVERNIGHT DELIVERY**

I am employed in San Francisco County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 650 California Street, 20th Floor, San Francisco, California 94108.2693. On June 12, 2008, I deposited with Federal Express, a true and correct copy of the within documents:

- NOTICE TO FEDERAL COURT OF REMOVAL OF CIVIL ACTION PURSUANT TO 28 U.S.C. §§ 1331, 1441(B) AND 1446 (FEDERAL QUESTION)
- CIVIL COVER SHEET
- NOTICE TO STATE COURT OF REMOVAL BY DEFENDANTS
- DEFENDANTS' DISCLOSURE STATEMENT
- DEFENDANTS' CERTIFICATE OF INTERESTED ENTITIES OR PERSONS
- SCHEDULING ORDER FOR CASES ASSERTING DENIAL OF RIGHT OF ACCESS UNDER AMERICANS WITH DISABILITIES ACT TITLE III; STANDING ORDER; CONTENTS OF A JOINT CASE MANAGEMENT STATEMENT (STAPLED TOGETHER FROM COURT)
- ECF REGISTRATION INFORMATION HANDOUT
- GUIDELINES IN ADDITION TO LOCAL RULES FOR THE U.S. DISTRICT COURT, SAN FRANCISCO
- NOTICE OF ASSIGNMENT OF CASE TO A UNITED STATES MAGISTRATE JUDGE FOR TRIAL
- PUBLIC NOTICE
- CONSENTING TO A MAGISTRATE JUDGE'S JURISDICTION IN THE NORTHERN DISTRICT OF CALIFORNIA (HANDBOOK)

in a sealed envelope, addressed as follows:

Thomas E. Frankovich, Esq.  
 2806 Van Ness Avenue  
 San Francisco, CA 94109  
 Tel (415) 674-8600  
 Fax (415) 674-9900

1 Following ordinary business practices, the envelope was sealed and placed for  
2 collection by Federal Express on this date, and would, in the ordinary course of business, be  
3 retrieved by Federal Express for overnight delivery on this date.

4 I declare that I am employed in the office of a member of the bar of this court at  
5 whose direction the service was made.

6 Executed on June 12, 2008, at San Francisco, California.

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9 Heather M. Figueroa

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